

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION, et al.,

Plaintiffs,

v.

E. I. DU PONT DE NEMOURS AND
COMPANY, et al.,

Defendants.

Civil Action No. 1:19-cv-14766-RMB-JBC
Hon. Renée Marie Bumb, Chief U.S.D.J

**DECLARATION OF GEOFFREY W.
CASTELLO IN SUPPORT OF
PLAINTIFFS' OMNIBUS RESPONSE
TO DEFENDANTS' MOTIONS TO
STRIKE PLAINTIFFS' JURY DEMAND**

ORAL ARGUMENT REQUESTED

GEOFFREY W. CASTELLO, an attorney admitted to practice law before this Court and the courts of the State of New Jersey, and of full age, hereby declares under penalty of perjury pursuant to 28 U.S.C. § 1746, as follows:

1. I am a partner at the law firm of Kelley Drye & Warren LLP, counsel for plaintiffs New Jersey Department of Environmental Protection, the Commissioner of the New Jersey Department of Environmental Protection, and the Administrator of the New Jersey Spill Compensation Fund (collectively, "State" or "Plaintiffs") in the above-captioned matter. I make this reply declaration in support of the State's Omnibus Response to Defendants' Motions to Strike Plaintiffs' Jury Demand.
2. Attached as **Exhibit 1** is a true and correct copy of Plaintiffs' Phase I Trial Plan.
3. Attached as **Exhibit 2** is a true and correct copy of Dolphin Incorporated's Motion to Strike Claims for (1) a Present Award of Future Response Costs under CERCLA and (2) Attorneys' Fees, *Roosevelt Irrigation Dist. v. Salt River Project Agric. Improvement & Power Dist.*, Case No. 2:10-cv-00290 (D. Ariz. Oct. 22, 2010).

4. Attached as **Exhibit 3** is a true and correct copy of Roosevelt Irrigation District's Consolidated Response in Opposition to Motions to Strike Claims for (1) a Present Award of Future Response Costs under CERCLA and (2) Attorneys' Fees, *Roosevelt Irrigation Dist. v. Salt River Project Agric. Improvement & Power Dist.*, Case No. 2:10-cv-00290 (D. Ariz. Nov. 12, 2010).

5. Attached as **Exhibit 4** is a true and correct copy of the relevant remarks by Senator Smith at the Committee Meeting of the Senate Environment and Energy Committee, considering Senate Concurrent Resolution 39, on November 3, 2016.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: February 4, 2025

/s/ Geoffrey W. Castello
Geoffrey W. Castello